

Applicants: Graham P. Allaway et al.

Serial No.: 09/904,356

Filed: July 12, 2001

Exhibit 24



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Europäisches
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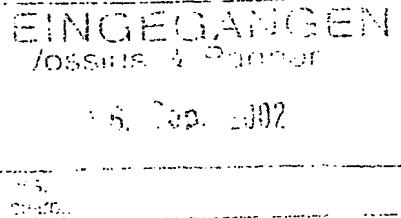
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Zeichen/Ref./Réf.

A 2075 EP

Anmeldung Nr./Application No./Demande n°/Patent Nr./Patent No./Brevet n°

95905987.4-1223-US9414561

Anmelder/Applicant/Demandeur/Patentinhaber/Proprietor/Titulaire

PROGENICS PHARMACEUTICALS, INC.

COMMUNICATION

The European Patent Office herewith transmits as an enclosure the European search report for the above-mentioned European patent application.

If applicable, copies of the documents cited in the European search report are attached.

☒ Additional set(s) of copies of the documents cited in the European search report is (are) enclosed as well.

REFUND OF THE SEARCH FEE

If applicable under Article 10 Rules relating to fees, a separate communication from the Receiving Section on the refund of the search fee will be sent later.



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European Patent
Office

**SUPPLEMENTARY
PARTIAL EUROPEAN SEARCH REPORT**

Application Number

which under Rule 45 of the European Patent Convention EP 95 90 5987
shall be considered, for the purposes of subsequent
proceedings, as the European search report

DOCUMENTS CONSIDERED TO BE RELEVANT			
Category	Citation of document with indication, where appropriate, of relevant passages	Relevant to claim	CLASSIFICATION OF THE APPLICATION (Int.CI.6)
X	CAMERINI D ET AL: "A CD4 domain important for HIV-mediated syncytium formation lies outside the virus binding site." CELL. UNITED STATES 9 MAR 1990, vol. 60, no. 5, 9 March 1990 (1990-03-09), pages 747-754, XP002210713 ISSN: 0092-8674 * page 752, paragraph 2 - paragraph 4 *	4,6,7,11	C12Q1/02 C12Q1/70 G01N21/17 G01N33/53 G01N33/50
X	CLAPHAM P R ET AL: "Soluble CD4 blocks the infectivity of diverse strains of HIV and SIV for T cells and monocytes but not for brain and muscle cells." NATURE. ENGLAND 26 JAN 1989, vol. 337, no. 6205, 26 January 1989 (1989-01-26), pages 368-370, XP002210714 ISSN: 0028-0836 * the whole document *	4,6,7,11	
			TECHNICAL FIELDS SEARCHED (Int.CI.6)
			G01N C12Q
The supplementary search report has been based on the last set of claims valid and available at the start of the search.			
INCOMPLETE SEARCH			
The Search Division considers that the present application, or some or all of its claims, does/do not comply with the EPC to such an extent that a meaningful search into the state of the art cannot be carried out, or can only be carried out partially, for the following claims:			
Claims searched completely :			
Claims searched incompletely :			
Claims not searched :			
Reason for the limitation of the search:			
see sheet C			
Place of search		Date of completion of the search	Examiner
THE HAGUE		5 September 2002	Schalich, J
CATEGORY OF CITED DOCUMENTS			
X : particularly relevant if taken alone Y : particularly relevant if combined with another document of the same category A : technological background O : non-written disclosure P : intermediate document		T : theory or principle underlying the invention E : earlier patent document, but published on, or after the filing date D : document cited in the application L : document cited for other reasons & : member of the same patent family, corresponding document	

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EPO FORM 1503 03.82 (P04C20)



DOCUMENTS CONSIDERED TO BE RELEVANT			CLASSIFICATION OF THE APPLICATION (Int.Cl.6)
Category	Citation of document with indication, where appropriate, of relevant passages	Relevant to claim	
X	HAROUSE J M ET AL: "INHIBITION OF ENTRY OF HIV-1 IN NEURAL CELL LINES BY ANTIBODIES AGAINST GALACTOSYL CERAMIDE" SCIENCE, AMERICAN ASSOCIATION FOR THE ADVANCEMENT OF SCIENCE,, US, vol. 253, no. 5017, 1991, pages 320-323, XP000953321 ISSN: 0036-8075 * the whole document *	4,6,7,11	TECHNICAL FIELDS SEARCHED (Int.Cl.6)
X	MITTLER R S ET AL: "Synergism between HIV gp120 and gp120-specific antibody in blocking human T cell activation." SCIENCE. UNITED STATES 22 SEP 1989, vol. 245, no. 4924, 22 September 1989 (1989-09-22), pages 1380-1382, XP002210715 ISSN: 0036-8075 * the whole document *	4,6,7,11	
X	WEINHOLD K J ET AL: "HIV-1 GP120-mediated immune suppression and lymphocyte destruction in the absence of viral infection." JOURNAL OF IMMUNOLOGY (BALTIMORE, MD.: 1950) UNITED STATES 1 MAY 1989, vol. 142, no. 9, 1 May 1989 (1989-05-01), pages 3091-3097, XP002210716 ISSN: 0022-1767 * the whole document *	4,6,7,11	
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DOCUMENTS CONSIDERED TO BE RELEVANT			CLASSIFICATION OF THE APPLICATION (Int.Cl.6)
Category	Citation of document with indication, where appropriate, of relevant passages	Relevant to claim	
Y	CROWE S M ET AL: "Human immunodeficiency virus-infected monocyte-derived macrophages express surface gp120 and fuse with CD4 lymphoid cells in vitro: a possible mechanism of T lymphocyte depletion in vivo." CLINICAL IMMUNOLOGY AND IMMUNOPATHOLOGY. UNITED STATES NOV 1992, vol. 65, no. 2, November 1992 (1992-11), pages 143-151, XP008006974 ISSN: 0090-1229 * page 144, column 2, paragraph 3 - page 146, column 2, paragraph 3 *	1-3,5, 8-10, 12-16	
Y	WANDA P E ET AL: "A GENERAL METHOD FOR HETEROKARYON DETECTION USING RESONANCE ENERGY TRANSFER AND A FLUORESCENCE-ACTIVATED CELL SORTER" JOURNAL OF HISTOCHEMISTRY AND CYTOCHEMISTRY, HISTOCHEMICAL SOCIETY, NEW YORK, NY, US, vol. 30, no. 12, July 1982 (1982-07), pages 1297-1300, XP000869691 ISSN: 0022-1554 * the whole document *	1-3,5, 8-10, 12-16	TECHNICAL FIELDS SEARCHED (Int.Cl.6)
Y	KELLER P M ET AL: "A FLUORESCENCE ENHANCEMENT ASSAY OF CELL FUSION" JOURNAL OF CELL SCIENCE, vol. 28, 1977, pages 167-177, XP002210718 EN ISSN: 0021-9533 * the whole document *	13	

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DOCUMENTS CONSIDERED TO BE RELEVANT			CLASSIFICATION OF THE APPLICATION (Int.Cl.6)
Category	Citation of document with indication, where appropriate, of relevant passages	Relevant to claim	
Y	FREED E O ET AL: "IDENTIFICATION OF CONSERVED RESIDUES IN THE HUMAN IMMUNODEFICIENCY VIRUS TYPE 1 PRINCIPAL NEUTRALIZING DETERMINANT THAT ARE INVOLVED IN FUSION" AIDS RESEARCH AND HUMAN RETROVIRUSES, NEW YORK, NY, US, vol. 7, no. 10, October 1991 (1991-10), pages 807-811, XP000882028 ISSN: 0889-2229 * the whole document *	15	
Y	TRAVIS B M ET AL: "FUNCTIONAL ROLES OF THE V3 HYPERVARIABLE REGION OF HIV-1 GP160 IN THE PROCESSING OF GP160 AND IN THE FORMATION OF SYNCYTIA IN CD4-POSITIVE CELLS" VIROLOGY, vol. 186, no. 1, 1992, pages 313-317, XP002210719 ISSN: 0042-6822 * the whole document *	15	TECHNICAL FIELDS SEARCHED (Int.Cl.6)
Y	DATABASE BIOSIS 'Online! BIOSCIENCES INFORMATION SERVICE, PHILADELPHIA, PA, US; 1992 DRAGIC T ET AL: "COMPLEMENTATION OF MURINE CELLS FOR HUMAN IMMUNODEFICIENCY VIRUS ENVELOPE-CD4-MEDIATED FUSION IN HUMAN-MURINE HETEROKARYONS" Database accession no. PREV199294091595 XP002210720 * abstract * & JOURNAL OF VIROLOGY, vol. 66, no. 8, 1992, pages 4794-4802, ISSN: 0022-538X	16	



Claim(s) searched completely:
1-5, 8-16

Claim(s) searched incompletely:
6,7

Claim(s) not searched:
17

Reason for the limitation of the search (non-patentable invention(s)):

Article 52 (4) EPC - Diagnostic method practised on the human or animal body.

These claims were nevertheless searched based on their alleged effects.

Further limitation of the search

Claim(s) searched completely:
1-5,8-16

Claim(s) not searched:
17

Reason for the limitation of the search:

Present claim 17 relates to products defined by reference to a desirable characteristic or property, namely inhibition of fusion of an HIV-1 envelope glycoprotein+ cell with a CD4+ cell.

The claims cover all products having this characteristic or property, whereas the application provides disclosure within the meaning of Article 83 EPC for only a very limited number of such products. In the present case, the application so lacks disclosure, that a meaningful search over the whole of the claimed scope is impossible. Independent of the above reasoning, the claims also lack clarity (Article 84 EPC). An attempt is made to define the products by reference to a result to be achieved. Again, this lack of clarity in the present case is such as to render a meaningful search over the whole of the claimed scope impossible. Consequently, no search has been carried out for claim 17.